

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 9, 2009

DIVISION TWO

[illegible]

The judgment is affirmed.

Chavez, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B209612 People (Certified for Partial Publication)
v.
O'Neal

The restitution order is modified to require restitution in the amount of \$126,000. The imposition of civil penalties is modified to impose eight \$25,000 civil penalties, in the total amount of \$200,000. As modified, judgment is affirmed. The matter is remanded to the trial court for further findings of fact with respect to the Wards' investment; and any additional restitution award and/or civil penalty based on those finding. The parties shall bear their own costs on appeal.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (continued)

[illegible]

If the trial court has not already done so, it is to correct the abstract of judgment to reflect 44 days of good time/work time and 133 total days of presentence custody credit. A corrected abstract of judgment is then to be forwarded to the Department of Corrections. In all other respects, the judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B213178 Segundo Suenos, LLC (Not for Publication)
B213251 v.
Nasrin Satchell et al.
Segundo Suenos, LLC
v.
Tracy Draper-Blunt et al.

The judgment in the Middlebrooks action is modified to provide that Tracy Draper-Blunt take nothing by her cross-complaint; as modified, the judgment is affirmed. The judgment in the Satchell action is affirmed. Respondents shall recover their costs on appeal from Segundo Suenos.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

December 9, 2009 (Continued)

DIVISION THREE (continued)

B210684 People (Not for Publication)
v.
James Russell Cernogg, Jr.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B212456 People v. Hunter (Not for Publication)

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

B212095 People (Not for Publication)
v.
Rivas

The appeal is dismissed.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

DIVISION FOUR (continued)

B212526 People (Not for Publication)
v.
Smith

Counts 2 through 6 are reversed and the matter is remanded to the trial court with directions to dismiss counts 2 through 6, to set aside the sentence and resentence appellant on the remaining counts, to recalculate presentence custody credits, and to impose court security fees for all convictions. In all other respects the judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

DIVISION FIVE

Court convened at 1:30 p.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and J. Belcher, Deputy Clerk.

B215788 Save The Plastic Bag Coalition
v.
City of Manhattan Beach

Merits:
Argued by Robert Wadden Jr., City Attorney for appellant and by Stephen Joseph for respondent. Cause submitted.

Court adjourned.

DIVISION FIVE (continued)

B217568 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 M.S. Jr.
 M.S. III

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Mosk, J.

B214665 Kenneth Barton
 v.
 RPost International Limited et al.,

Filed order modifying opinion. (No change in the judgment)

DIVISION SIX

Court convened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Bigelow, J. (assigned) and G. Bents, Senior Deputy Clerk.

B214451 Chapman
 v.
 Krutonog

Merits:
Argued by Howard King for appellants and by Paul Norman Sorrell for respondents. Cause submitted.

Court recessed.

Court reconvened at 2:10 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

DIVISION SIX (continued)

Each of the following:

B211878 Shaw v. Shaw

B216327 Child Welfare Services v. D.H.

Argument waived, cause submitted.

B218338 J.C. v. Santa Barbara Superior Court (Child Welfare Services)

Presentation of argument waived; cause submitted.

B212964 Canton
v.
Gustafson

Merits:

Argued by Charles Hicks for appellant and by R. Dennis Orrock for respondent. Cause submitted.

Gilbert, P.J. left the bench.

B215706 Brown
v.
CMG Escrow Co.

Merits:

Argued by Robert G. Boehm for appellant and by M. Stephen Davis for respondents. Cause submitted.

Gilbert, P.J. returned to the bench.

DIVISION SIX (continued)

B209599 Lancashire
 v.
 Lancashire

Merits:

Argued by Garrett Clark Dailey for appellant and by Jacqueline Misho for respondent. Cause submitted.

Perren, J. left the bench.

B215572 Angle
 v.
 Barnett

Merits:

Argued by Neil S. Tardiff for appellant and by Thomas J. Dowling for respondent. Cause submitted.

Perren, J. returned to the bench.

B212965 Dotson
 v.
 Amgen, Inc.

Merits:

Argued by Paul W. Cane for appellant and by Rob A. Hennig for respondent. Cause submitted.

Gilbert, P.J. left the bench.

B216420 Gaviota Coast Conservancy
 v.
 County of Santa Barbara

Merits:

Argued by Roger J. Diamond for appellant and by Marc Chytilo for respondent. Respondents County of Santa Barbara, et al. did not appear pursuant to Rule 8.220(a)(2), Calif. Rules of Court. Cause submitted.

December 9, 2009 (Continued)

DIVISION SIX (continued)

Court adjourned.

DIVISION SEVEN

B215190 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 R. M.

The judgment is affirmed.

Woods, Acting P.J.

We concur: Zelon, J.
 Jackson, J.